

Haynes and Boone Team Wins Ninth Circuit Decision for Superior Energy

March 8, 2016 Mark Trachtenberg

PRACTICES Appellate

Haynes Boone litigators [Mark Trachtenberg](#) and Will Feldman of the firm's Houston office secured a Ninth Circuit appellate victory on behalf of client Superior Energy Services in a long-running dispute over unpaid invoices.

In a 3-to-0 decision, the Ninth Circuit in San Francisco reversed a lower court ruling and ordered that court to compel arbitration in Superior's conflict with Cabinda Gulf Oil Co. Ltd. (CABGOC), a Chevron subsidiary. The Ninth Circuit adopted Superior's argument that it was a third-party beneficiary of the relevant contract under California law and was thus entitled to invoke the contract's arbitration clause.

The case arose out of a dispute between Superior and CABGOC over unpaid invoices for subsea work Superior performed while assisting CABGOC with oil exploration off the Angolan coast.

CABGOC refused to arbitrate the dispute, and a federal district court in San Francisco denied Superior's petition to compel arbitration, setting up the appeal handled by Trachtenberg and Feldman.

View *Law360* coverage of the case [here](#) (subscription required).